



CITY COUNCIL AGENDA REPORT

MEETING DATE: AUGUST 19, 2008

ITEM NUMBER:

SUBJECT: RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS06-00698 AND PS06-00289 FOR STREET IMPROVEMENTS FOR TRACT 16820 LOCATED AT 654 WEST 18TH STREET, COSTA MESA, CALIFORNIA

DATE: AUGUST 7, 2008

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: PETER NAGHAVI, DIRECTOR OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUÑOZ, CITY ENGINEER, 714-754-5335

RECOMMENDED ACTION

Release the Performance and Labor and Material Bonds (Certificate No. 661117621) in the amount of \$10,000 each for street improvements to Loft 18, LLC (Developer), 1 South Fair Oaks Avenue, Suite 270, Pasadena, CA 91105.

BACKGROUND

On November 21, 2006, the City Council approved the Final Map for Tract No.16820 for the construction of a 6 unit, two story common interest development. The Engineering Division issued Encroachment Permits No. PS06-00698 and PS06-00289 to Third Millennium Construction, Inc. (Contractor), for the construction of street improvements within West 18th Street. The Encroachment Permit allowed the reconstruction of sidewalk, curb and gutter, drive approach, and the removal and reconstruction of utility trenches. The Performance and Labor and Materials Bonds in the amount of \$10,000 each were received and accepted by the Public Services Department as a guarantee for the construction of the improvements.

ANALYSIS

All conditions of the Encroachment Permit have been met and the work has been completed and accepted by the Public Services Department.

ALTERNATIVES CONSIDERED

The alternative to this Council action would be to retain the Performance and Labor and Material Bonds. Costa Mesa Municipal Code Section 15-32 states, "The condition of said bond shall be that the applicant will perform the work authorized by any permit issued pursuant to this chapter in a good and workmanlike manner and to the satisfaction of the City Engineer." These conditions have been met; therefore, retention of the bonds would be in violation of the Municipal Code.

FISCAL REVIEW

There is no fiscal impact to the City relative to this item.

LEGAL REVIEW

There is no legal review required relative to this item.

CONCLUSION

All of the required conditions of the Encroachment Permits have been completed by the Contractor. Therefore, staff recommends that the Performance and Labor and Material Bonds in the amount of \$10,000 each be released to Loft 18, LLC.

ERNESTO MUÑOZ
City Engineer

PETER NAGHAVI
Director of Public Services

DISTRIBUTION: City Manager
Deputy City Clerk
City Attorney
Staff